



EARTHRIGHTS INTERNATIONAL

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Special Session on the Human Rights Situation in Myanmar**

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HUMAN RIGHTS COUNCIL

Special Session on The Human Rights Situation in Myanmar

As a human rights organization with Special Consultative Status to ECOSOC, and a specific focus on human rights issues in Myanmar, EarthRights International (ERI) urges the Human Rights Council to do everything in its power to uphold its mandate to insure the fulfillment of the human rights obligations of all countries. ERI thanks the Human Rights Council for convening this Special Session and for giving its attention to the urgent human rights crisis that has been unfolding in Myanmar over recent days and weeks. As an organization that has spent 12 years documenting the human rights abuses of the current military regime in Myanmar against its own ethnic minority and indigenous populations, ERI is aware of this junta's capacity and willingness to commit violence against its own peoples. ERI is comprised of both international human rights lawyers and grassroots human rights investigators from Myanmar; as such, we are intimately familiar with the Myanmar military junta's systematic violations that contravene customary international law norms that protect fundamental human rights.

For this reason, we are gravely concerned about the current situation in Myanmar and the credible reports of shootings and other violence against peaceful protesters. While ERI is unable to independently confirm these reports, we know that suppression of freedom of speech and association, and violence against those who attempt to exercise these rights, are well within the longstanding practice of the State Peace and Development Council (SPDC). The SPDC's pattern of violating the rights to life and security of the person that are enshrined and protected by the Universal Declaration of Human Rights is well known to the UN and the international community. It is critical that the UN acts now to insure the SPDC does not continue to violate these rights with impunity.

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The special session must lead to the adoption of an action-orientated resolution. This resolution must provide, at the very least, for the following:

I. A **fact-finding mission**, mandated to thoroughly investigate recent gross human rights violations committed by the SPDC in response to peaceful demonstrations.

A. The mission should be led by the Special Rapporteur on the human rights situation in Myanmar and could also include international experts and/or relevant thematic mandate holders such as those dealing with human rights defenders, freedom of expression, arbitrary detention, torture, disappearance and extrajudicial execution.

B. The mission should report back to the Council, through the Council President, immediately after its return. The Council should preserve the option of convening another special session, depending on the assessment of the fact-finding mission.

II. An **independent monitoring team**, mandated to assess the broader human rights situation – covering civil, political, economic, social, and cultural rights – in Myanmar and to monitor the implementation of the recommendations of the fact-finding mission. The monitoring team’s assessment should lead to identification of root causes of gross human rights violations that have taken place in recent weeks.

A. The monitoring team should be coordinated by the Office of the High Commissioner for Human Rights.

B. The monitoring team should report to the Human Rights Council through the UN High Commissioner for Human Rights. An ongoing UN presence on the ground is essential to prevent further human rights violations.

We look forward to hearing from the Human Rights Council regarding action in this very serious matter.

Sincerely,

Katie Redford, Esq.

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